

Wetlands Bureau Decision Report

Decisions Taken
11/15/2004 to 11/21/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2003-02705

PROCTOR ACADEMY

ANDOVER Blackwater River

Requested Action:

Retain 1,600 square feet (235 linear feet) of rip rap installed to stabilize eroding stream bank on the Blackwater River to provide continued access to property. Impact 1,550 square feet of palustrine forested and scrub shrub wetlands including 135 linear feet of stream bank and channel of the Blackwater River to relocate the access road and stabilize eroding banks. Work includes removal of 22 linear feet of rip rap, and utilization of bioengineering techniques to stabilize the stream bank.

Conservation Commission/Staff Comments:

Conservation Commission signed the expedited application.

No further comments submitted from the conservation commission based on revised plans.

NHF&G requests that all measures be employed to prevent sedimentation.

Inspection Date: 04/28/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Retain 1,600 square feet (235 linear feet) of rip rap installed to stabilize eroding stream bank on the Blackwater River to provide continued access to property. Impact 1,550 square feet of palustrine forested and scrub shrub wetlands including 135 linear feet of stream bank and channel of the Blackwater River to relocate a section of the access road and stabilize eroding banks. Work includes removal of 22 linear feet of rip rap, and utilization of bioengineering techniques to stabilize the stream bank.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering, P.L.L.C. dated August 13, 2004, as received by the Department on August 20, 2004.
2. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
3. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
4. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. A post-construction report documenting the status of the restoration area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of or disturbance of more than 200 linear feet of a perennial nontidal stream, river channel and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 28, 2004. Field inspection determined a section of stream bank immediately downstream, adjacent to work previously conducted, is unstable.
6. The applicant has provided documentation to demonstrate the 235 linear feet of rip rap previously installed of has not adversely affected the riverine system.
7. The Department has determined the proposed new stabilization project utilizing bioengineering techniques along 135 linear feet of the river bank will not adversely affect the riverine system.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine ecosystem.

2003-02723 NH DEPT OF TRANSPORTATION, DISTRICT ONE

LIVERMORE Swift River

Requested Action:

Replace two 42 in. x 60 ft. culverts with two 42 in. x 80 ft. culverts impacting 1,500 sq. ft. of previously disturbed streams.

Conservation Commission/Staff Comments:

Swift River Advisory Committee does not have any environmental concerns.

Inspection Date: 08/18/2004 by Gino E Infascelli

APPROVE PERMIT:

Replace two 42 in. x 60 ft. culverts with two 42 in. x 80 ft. culverts impacting 1,500 sq. ft. of previously disturbed streams.
NHDOT project #M115-5.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Dist. 1 dated 11/5/03 and 11/5/03 as received by the Department on December 8, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 linear feet of channels and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 18, 2004. Field inspection determined the species of concern is not within the project limits and this determination could not be conducted until well into the growing season. The streams were impacted during the installation of the existing culverts and this project will not impact any areas not previously disturbed.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine ecosystem.

2004-00114 LATHROP, JOHN
ATKINSON Bryant Brook

Requested Action:

Approve name change to: Heyland Development LLC, PO Box 407, Moody, ME 04054 per request received 11/15/04.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated February 6, 2004 the Atkinson Conservation Commission (ConCom) expressed concern with stormwater runoff entering Bryant Brook due to the steepness of the proposed roadway and driveways. The ConCom also expressed concern about the extensive engineering needed to construct the site.

Inspection Date: 04/14/2004 by Christian P Williams

APPROVE NAME CHANGE:

Dredge and fill approximately 4,336 square feet (103 linear feet) within the bed and banks of Bryant Brook and adjacent forested wetlands to install an 84-inch x 65-foot culvert and construct a roadway to provide access to a 5-lot residential subdivision on approximately 15.6 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Engineering Alliance, Inc.:
 - a) the Proposed Grading & Utility Plan (Drawing C-4) dated September 30, 2003 and revised September 9, 2004, as received by the Department on September 13, 2004;
 - b) the Construction Details (Drawing D-4), dated January 16, 2004 and revised September 9, 2004, as received by the Department on September 13, 2004; and
 - c) the Existing Topography Plan (Drawing C-2) and the Construction Details (Drawing D-2) dated September 30, 2003, as received by the Department on January 20, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Atkinson Conservation Commission of the date project construction is proposed to begin.
7. Work shall be conducted during low flow conditions.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and

remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

11. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.

12. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.

13. Temporary cofferdams shall be entirely removed immediately following construction.

14. Dredged material not used to backfill the interior of the 84-inch x 65-foot culvert shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

15. Proper headwalls shall be constructed within seven days of culvert installation.

16. Stone aprons shall be installed at culvert outlets to dissipate flow velocities and prevent scour and erosion.

17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

21. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-01581 **MARGATE INC**
LACONIA **Paugus Bay**

Requested Action:

1. Permanently remove an existing 1,600 sq ft docking structure;
2. Construct two docking structures each consisting of four 3 ft x 30 ft finger piers connected by a 5 ft x 75 ft piling pier with 6 tie-off pilings and two 3-piling ice clusters;
3. Repair 281 linear ft of riprap shoreline by resetting rocks;
4. Repair 147 linear ft of cemented rock wall;
5. Repair and reface 34 linear ft concrete wall;
6. Construct 16 ft 6 in wall on back side of existing 1,049 sq ft beach;
7. Repair 195 linear ft of beach wall, and retain 64 cu yds of sand to replenish 2,497 sq ft of beach; and
8. Repair a 50 ft jetty, a 56 ft jetty, a 63 ft jetty and a 134 ft jetty by resetting rocks.

Conservation Commission/Staff Comments:

Con. Com. questioned need for riprap and lack of adequate erosion controls around beach area.

APPROVE PERMIT:

1. Permanently remove an existing 1,600 sq ft docking structure;
2. Construct two docking structures each consisting of four 3 ft x 30 ft finger piers connected by a 5 ft x 75 ft piling pier with 6 tie-off pilings and two 3-piling ice clusters;
3. Repair 281 linear ft of riprap shoreline by resetting rocks;
4. Repair 147 linear ft of cemented rock wall;
5. Repair and reface 34 linear ft concrete wall;

6. Construct 16 ft 6 in wall on back side of existing 1,049 sq ft beach;
7. Repair 195 linear ft of beach wall, and retain 64 cu yds of sand to replenish 2,497 sq ft of beach; and
8. Repair a 50 ft jetty, a 56 ft jetty, a 63 ft jetty and a 134 ft jetty by resetting rocks.

With Conditions:

1. All work on this property having 1,333 ft of frontage on Paugus Bay, Lake Winnepesaukee shall be in accordance with plans by Folsom Design Group dated March 30, 2004, revised on October 25, 2004, as received by the Department on November 15, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All removed material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repairs shall maintain existing size, location and configuration.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), construction of a major docking facility.
2. The applicant has 1333 feet of frontage along Lake Winnepesaukee.
3. A maximum of 18 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
4. The proposed docking facility will provide 16 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.14.
5. Public hearing is waived based on field inspection, by NH DES staff, on September 15, 2004, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2004-01882 BONNEAU, PAUL
CLAREMONT Unnamed Wetland

Requested Action:

Reconstruct and restore approximately 200 linear feet of an altered stream channel impacting 2,490 square feet of palustrine emergent, artificial wetlands and 1,470 square feet of a perennial stream.

Conservation Commission/Staff Comments:

No comments submitted from Claremont conservation commission

Inspection Date: 06/27/2001 by Christian P Williams

Inspection Date: 05/11/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Reconstruct and restore approximately 200 linear feet of an altered stream channel impacting 2,490 square feet of palustrine emergent, artificial wetlands and 1,470 square feet of a perennial stream.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC, dated August 4, 2004, as received by the Department on August 11, 2004.
2. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Stream reconstruction shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to re-establish the stream channel and associated functions. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the stream channel and/or banks.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
10. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
11. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project proposes to reconstruct over 210 linear feet of a perennial stream and is therefore a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 linear feet of a nontidal perennial stream channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 11, 2004. Field inspection determined stream channel previously altered.
6. Previous attempts to control the stream flow and reconstruct the banks have failed, as documented in a site visit in 2001, by DES staff.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine system.

2004-02313 ABENAQUI COUNTRY CLUB, PHIL COLLINS JR., PRES
RYE Unnamed Wetland

Requested Action:

Dredge and fill a total of 26,876 sq. ft. (including 2,000 sq. ft. of temporary impacts) of palustrine forested/scrub-shrub/emergent wetlands for work associated with the relocation and reconstruction of golf course hole #s 17 & 18 including access ways, drainage and installation of water quality treatment structures.

39,044 sq. ft. of wetland creation and 16,081 sq. ft. of wetland enhancement/pond construction will be provided as compensatory mitigation for wetland impacts.

Conservation Commission/Staff Comments:

The Rye Conservation Commission has field inspected the site and submitted a report regarding "...a myriad of concerns". Each concern listed in their letter of Oct.5, 2004 has been addressed by the applicant and changes in the original proposal are presented in the current revised plans.

Inspection Date: 05/07/2004 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 26,876 sq. ft. (including 2,000 sq. ft. of temporary impacts) of palustrine forested/scrub-shrub/emergent wetlands for work associated with the relocation and reconstruction of golf course hole #s 17 & 18 including access ways, drainage and installation of water quality treatment structures.

39,044 sq. ft. of wetland creation and 16,081 sq. ft. of wetland enhancement/pond construction will be provided as compensatory mitigation for wetland impacts.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated September 22, 2004 as received by the Department on September 24, 2004 and revised plan sheet #s WP-1 and C-4 by Altus Engineering, Inc. each dated November 10, 2004, as received by the Department on November 10, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Pease Field Office in Portsmouth, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Wetland replication of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
13. Monitoring reports documenting the seasonal activities of amphibians and other wildlife utilizing vernal pools A & B and potential vernal pools C & D, as located on the approved plans and described in the project narrative, shall be submitted annually (August 1st of each year) to the DES Wetlands Bureau and the Rye Conservation Commission for a period of five (5) years (duration of the permit).
14. Work shall be done during low flow.
15. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

COMPENSATORY WETLAND MITIGATION:

1. This permit is contingent upon the creation of 39,044 sq. ft. of wetlands and 16,081 sq. ft. of enhancement/pond creation in

accordance with plans and narrative received September 24, 2004 and additional information and revised plans received November 10, 2004

2. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The schedule for construction of the mitigation area(s) shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
4. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
5. Wetland creation and enhancement areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands impacted by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
6. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
7. The permittee shall notify DES and the Rye Conservation Commission in writing of their intention to commence construction no less than five (5) business days prior to construction.
8. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
9. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
10. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
11. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
12. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
13. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c)to: Dredge and fill a total of 26,876 sq. ft. (including 2,000 sq. ft. of temporary impacts) of palustrine forested/scrub-shrub/emergent wetlands for work associated with the relocation and reconstruction of golf course hole #s 17 & 18 including access ways, drainage and installation of water quality treatment structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 7, 2004. Field inspection w/ representatives from NH Soil Consultants and the Abenaki Country Club Greenskeeper found the project reasonable as proposed. Monitoring reports on seasonal vernal pool activities on site as well as for wetland creation areas will be required for the duration of the permit.
6. The Atlantic White Cedar trees proposed to be removed are small clusters of trees and are not part of a contiguous stand of trees that would constitute an ecological community or habitat of special concern.
7. Replacement Atlantic White Cedar trees will be planted in appropriate locations elsewhere on the property.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of the palustrine wetland ecosystem in the environs.

MINOR IMPACT PROJECT

2004-00800

KOZACKA, FREDERICK

SOUTH HAMPTON Unnamed Wetland Adjacent To Grassy Brook

Requested Action:

Fill approximately 8,776 square feet within palustrine forested and scrub-shrub wetlands to construct a shared driveway to provide access to a 2-lot residential subdivision on approximately 29.52 acres.

Conservation Commission/Staff Comments:

No comments received from the South Hampton Conservation Commission.

APPROVE PERMIT:

Fill approximately 8,776 square feet within palustrine forested and scrub-shrub wetlands to construct a shared driveway to provide access to a 2-lot residential subdivision on approximately 29.52 acres.

With Conditions:

1. All work shall be in accordance with the Plat of Land by Parker Surveying & Engineering dated November 12, 2003 and revised October 4, 2004, as received by the Department on November 5, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback. Furthermore, there shall be no cutting of trees or removal of vegetation within the wetlands to provide protection to Grassy Brook.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the South Hampton Conservation Commission of the date project construction is proposed to begin.
6. Work shall be conducted during low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as it involves less than 20,000 square feet of alteration in nontidal wetlands.
2. In an Inter-Department Communication to the DES Wetlands Bureau dated August 4, 2004 the NH Fish & Game Department (NHF&G) indicated that potential project-related impacts to Eastern Pondmussels are probably limited. In addition, to protect Banded Sunfish populations, the NHF&G recommended maintaining vegetated buffers adjacent to wetlands and surface waters with

heavy emergent and submergent vegetation.

3. To address the comments from the NHF&G regarding protection of Banded Sunfish populations, the DES Wetlands Bureau has incorporated language into condition #3 of this permit prohibiting the cutting of trees and removal of vegetation within the wetlands to provide protection to Grassy Brook.
4. The DES Wetlands Bureau received no comments from the South Hampton Conservation Commission.
5. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
6. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
8. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09.

2004-00883 JANSON, RICHARD
ANDOVER Highland Lake

Requested Action:

Rip-rap 150 linear feet of shoreline, install a pile wall along 70 linear feet of the upper portion of the bank, and revegetate all disturbed soils to control erosion on Highland Lake.

APPROVE PERMIT:

Rip-rap 150 linear feet of shoreline, install a pile wall along 70 linear feet of the upper portion of the bank, and revegetate all disturbed soils to control erosion on Highland Lake.

With Conditions:

1. All work shall be in accordance with plans by Granite State Engineering LLC Surveying Inc, dated October 14, 2004 and November 10, 2004, as received by the Department on November 3, 2004 and November 15, 2004.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work shall be done during drawdown.
5. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. Only native species may be used in the revegetation and stabilization of the site.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), alteration of 50 to 200 linear feet along the shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on July 2, 2004. Field inspection determined that a major erosion problem is present and stabilization of the shoreline is in the best interest of the property owner and the public.

2004-02043 CROOK, LARRY & PAMELA
NEWBURY Lake Sunapee

Requested Action:

Permanently remove an existing 6 ft x 30 ft crib dock and replace with a 6 ft x 30 ft seasonal dock on an average of 185 ft of frontage on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Permanently remove an existing 6 ft x 30 ft crib dock and replace with a 6 ft x 30 ft seasonal dock on an average of 185 ft of frontage on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans by Central Lakes Dock Company dated August 2, 2004, as received by the Department on August 26, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Any removed material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal pier shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
10. All portions of the existing crib structure shall be removed prior to the installation of the new pier.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a seasonal dock adjacent to an existing permanent dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02090 SALISBURY, TOWN OF
SALISBURY Howe Brook

Requested Action:

Dredge and fill 660 square feet (including 300 square feet of temporary impacts) in riverine wetlands and within the banks of Howe Brook to replace the Hensmith Road culvert.

Conservation Commission/Staff Comments:

No comments submitted from the local Conservation Commission.

APPROVE PERMIT:

Dredge and fill 660 square feet (including 300 square feet of temporary impacts) in riverine wetlands and within the banks of Howe Brook to replace the Hensmith Road culvert.

With Conditions:

1. All work shall be in accordance with plans by Quantum Construction Consulting, Inc. dated August 20, 2004, as received by the Department on September 1, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
5. There shall be no excavation or operation of construction equipment in flowing water.
6. Work shall be done during low flow conditions.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(i), alteration or disturbance of less than 200 linear feet of a nontidal perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

5. The Department has determined the proposed project will have minimal impacts on the environment.

2004-02197

ARDITO, EVELYN

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft seasonal dock connected to an existing 6 ft x 40 ft hinged seasonal dock with a 6 ft x 12 ft seasonal walkway, and install a 6 ft x 3 ft concrete pad on an average of 360 ft of frontage on Ambrose Cove, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. did not object to project.

APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock connected to an existing 6 ft x 40 ft hinged seasonal dock with a 6 ft x 12 ft seasonal walkway, and install a 6 ft x 3 ft concrete pad on an average of 360 ft of frontage on Ambrose Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by T. Graham, as received by the Department on September 10, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal piers shall be removed from the lake for the non-boating season.
8. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
9. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
10. All portions of the concrete pad(s) shall be located landward of the normal highwater line (Elev. 504.32)
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), installation of a 3-slip seasonal docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02210

GREEN ACRE WOODLANDS INC

GROTON Halls Brook

Requested Action:

Dredge and fill 200 square feet along 62 linear feet of perennial stream for bridge construction and associated rip rap and temporarily impact 500 square feet along 20 linear feet of stream bed for equipment access.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 200 square feet along 62 linear feet of perennial stream for bridge construction and associated rip rap and temporarily impact 500 square feet along 20 linear feet of stream bed for equipment access.

With Conditions:

1. All work shall be in accordance with plans by TFH dated September 2, 2004, as received by the Department on September 13, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. No work shall be done in flowing water.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
8. The Permittee shall monitor the weather and will not commence work when rain is in the forecast.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
10. Construction equipment shall cross the stream channel only once.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
15. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
16. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(c), projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh that do not meet the criteria of Wt 303.02, except those projects in streams which meet the criteria of Wt 303.04(g).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02228 **CHESTER, TOWN OF**
CHESTER **Tributary To Exeter River & Towle Brook**

Requested Action:

Dredge and fill approximately 1,505 square feet (approximately 50 linear feet) within the bed and banks of Towle Brook to replace twin 5-foot x 24-foot culverts with a 20-foot x 5-foot x 24-foot precast, open-bottom arch culvert to reduce flooding of Towle Road.

Conservation Commission/Staff Comments:

No comments received from the Chester Conservation Commission.

APPROVE PERMIT:

Dredge and fill approximately 1,505 square feet (approximately 50 linear feet) within the bed and banks of Towle Brook to replace twin 5-foot x 24-foot culverts with a 20-foot x 5-foot x 24-foot precast, open-bottom arch culvert to reduce flooding of Towle Road.

With Conditions:

1. All work shall be in accordance with the Towle Road Bridge Replacement Plans (Sheets 1 - 21 of 21) by DuBois & King, Inc. dated June 2004, as received by the Department on September 15, 2004.
2. This permit is contingent upon submittal of a final Erosion, Sedimentation and Turbidity Control Plan, which shall include details of proposed stream diversion/dewatering techniques, to the DES Wetlands Bureau for review and approval.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Any work outside the existing road right-of-way shall be coordinated with the landowner prior to construction.
5. Construction equipment shall not be located within surface waters.
6. Work shall be conducted during low flow conditions.
7. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Disturbed stream banks shall be restored to original contours and to a stable condition within three days of completion of construction.
14. Precautions shall be taken within riparian areas to limit removal of vegetation. In areas where vegetation has been cleared or otherwise disturbed, native shrub and tree species shall be planted by the end of the growing season.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
17. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(1), as it will disturb less than 200 linear feet of a perennial stream and its banks.
2. The project is necessary to reduce flooding of Towle Road caused by existing undersized culverts.

3. The project will improve public safety.
4. The bed of Towle Brook will be restored to a more natural condition through installation of an open-bottom arch culvert.
5. The DES Wetlands Bureau received no comments from the Chester Conservation Commission nor the Exeter River Local Advisory Committee.
6. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
7. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2004-02385 CRONK, TIMOTHY
LACONIA Lake Winnisquam

Requested Action:

Install a 6 ft x 40 ft hinged seasonal dock attached to an existing 6 ft x 40 ft hinged seasonal dock by 6 ft x 10 ft walkway, in a "U" shape, and add 1 cu yd of concrete over existing rocks for hinge points on an average of 205 ft of frontage on Lake Winnisquam, Laconia.

Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

APPROVE PERMIT:

Install a 6 ft x 40 ft hinged seasonal dock attached to an existing 6 ft x 40 ft hinged seasonal dock by 6 ft x 10 ft walkway, in a "U" shape, and add 1 cu yd of concrete over existing rocks for hinge points on an average of 205 ft of frontage on Lake Winnisquam, Laconia.

With Conditions:

1. All work shall be in accordance with plans by T. Graham, as received by the Department on October 1, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal piers shall be removed from the lake for the non-boating season.
9. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
10. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
11. All portions of the concrete pad shall be located landward of the normal highwater line.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 3-slip seasonal docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2002-02642 NHDES WATER DIVISION
FRANKLIN Chance Pond Brook

Requested Action:

Temporarily impact 2650 square feet below the high waterline of Chase Pond to repair existing dam and spillway and place stoplogs in the box culvert at the Railway Crossing for temporary water control.

Conservation Commission/Staff Comments:

The conservation commission has not commented on this project.

APPROVE AMENDMENT:

Temporarily impact 2650 square feet below the high waterline of Chase Pond to repair existing dam and spillway and place stoplogs in the box culvert at the Railway Crossing for temporary water control.

With Conditions:

1. All work shall be in accordance with plans dated November 14, 2002, as received by the Bureau on December 10, 2002, and with plans dated November 18, 2004, as received by the Bureau on November 18, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The applicant shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
4. Work shall be done during drawdown.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. The partial breach shall be completed prior to installation of the cofferdam.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Repair shall maintain existing size, location and configuration.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Area shall be regraded to original contours following completion of work.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(l) Temporary cofferdams and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

2004-01822 CLEARBROOK HOMEOWNERS ASSOCIATION
LINCOLN East Branch Of Pemigewasset River

Requested Action:

Dredge and fill 2,225 sq. ft. of palustrine wetlands to install three 24" x 30' culverts for driveway crossing of intermittent stream to access a sand storage and maintenance shed for condominium complex.

Conservation Commission/Staff Comments:

Did not report.

APPROVE PERMIT:

Dredge and fill 2,225 sq. ft. of palustrine wetlands to install three 24" x 30' culverts for driveway crossing of intermittent stream to access a sand storage and maintenance shed for condominium complex.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering PLLC dated July 2004, and per culvert detail dated October 28, 2004, as received by the Department on August 5, and October 28, 2004, respectively.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Work shall be done during low flow.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01828 LOVELL, ELEANOR
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Excavate 73 cu yds from 960 sq ft of bank to construct a 16 ft x 39 ft perched beach, surrounded by a stone wall, with steps accessing the beach and water, and permanently remove an existing 6 ft x 21 ft full crib supported wharf, and repair 88 linear ft of existing stone retaining wall on an average of 195 ft of frontage on Long Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. requested an engineered plan.

APPROVE PERMIT:

Excavate 73 cu yds from 960 sq ft of bank to construct a 16 ft x 39 ft perched beach, surrounded by a stone wall, with steps accessing the beach and water, and permanently remove an existing 6 ft x 21 ft full crib supported wharf, and repair 88 linear ft of existing stone retaining wall on an average of 195 ft of frontage on Long Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revised on November 9, 2004, as received by the Department on November 12, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Repair shall maintain existing size, location and configuration.
8. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
15. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
16. Work shall be done during low water.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a perched beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Conservation Commission requested an engineered plan, which is unnecessary for a minimum impact project.

2004-01986 ROY, RICHARD & KATHY
LITTLETON Unnamed Stream

Requested Action:

Dredge and fill a total of 1,650 sq. ft. of wetlands to extend an existing 72" pipe by an additional 16 linear feet to construct a driveway across a perennial stream to access additional parking area for an existing commercial business.

Conservation Commission/Staff Comments:

Has reviewed application and accepts the proposal.

APPROVE PERMIT:

Dredge and fill a total of 1,650 sq. ft. of wetlands to extend an existing 72" pipe by an additional 16 linear feet to construct a driveway across a perennial stream to access additional parking area for an existing commercial business.

With Conditions:

1. All work shall be in accordance with revised plans by Associated Consulting Engineers dated 10/20/04, as received by the Department on November 1, 2004.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. Proper headwalls shall be constructed within seven days of culvert installation.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), projects deemed minimum based on the degree of environmental impact, which consists of minimal impact to a perennial stream for a driveway crossing on an existing developed in-town lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02180 KATZ, EDWARD
MANCHESTER Unnamed Wetland

Requested Action:

Dredge and fill a total of 1,050 sq. ft. of wetlands to install two culvert crossings (one 24" x 24' concrete box culvert, and one 35"wide x 24" high x 20' long pipe arch culvert) for a driveway crossing, and installation of sewer and water lines within the same footprint, to access a single family residential lot.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Dredge and fill a total of 1,050 sq. ft. of wetlands to install two culvert crossings (one 24" x 24' concrete box culvert, and one 35"wide x 24" high x 20' long pipe arch culvert) for a driveway crossing and installation of sewer and water lines within the same footprint, to access a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Granite State Engineering/Surveying dated September 7, 2004 for crossing one, as received by the Department on September 13, 2004; and per revised plan dated November 4, 2004 for crossing two, as received by the Department on November 5, 2004.

2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of culverts to access a piece of property for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The report of the state-listed threatened Eastern hognose snake in the vicinity of the project was from a sighting in 1977, and the potential of the wetlands impact to affect this species has been addressed to the satisfaction of DES and NH Fish and Game Department by replacing the proposed 3 small culverts with one larger pipe arch for crossing number two.

2004-02238 ARLINGTON DEVELOPMENT GROUP
GILMANTON Ayers Brook

Requested Action:

Dredge and fill 1193 square feet of palustrine forested and emergent wetland to expand existing access road in the subdivision of 160.4 acres into 14 single family residential lots.

Conservation Commission/Staff Comments:

The conservation commission has no objections to the impacts but has concerns that the planning board has not approved the subdivision.

APPROVE PERMIT:

Dredge and fill 1193 square feet of palustrine forested and emergent wetland to expand existing access road in the subdivision of 160.4 acres into 14 single family residential lots.

With Conditions:

1. All work shall be in accordance with plan sheets 1-20 by Golde Planning and Design Inc dated August 18, 2004, as received by the Department on September 8, 2004 and Wetland Impact Plan by Golde Planning and Design dated August 24, 2004, and received by the Department on September 20, 2004 and Subdivision Plans by Turning Point Land Surveyors dated August 14, 2004, as received by the Department on September 20, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the Gilmanton Planning Board.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Work shall be done during low flow.

9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Silt fencing must be removed once the area is stabilized.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. This permit is specifically contingent upon approval of the Gilmanton Planning Board in response to the concerns of the Conservation Commission.

2004-02269 PLYMOUTH REGIONAL HIGH SCHOOL
PLYMOUTH Unnamed Wetland

Requested Action:

Fill 2352 square feet of wet meadow for athletic field construction.

Conservation Commission/Staff Comments:

The Plymouth Conservation Commission signed this minimum impact application.

APPROVE PERMIT:

Fill 2352 square feet of wet meadow for athletic field construction.

With Conditions:

1. All work shall be in accordance with plans by RFS Engineering, as received by the Department on November 12, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be conducted during low water conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2004-02430 CLAREMONT PROPERTIES LLC
FARMINGTON Tributary To Rattlesnake Brook

Requested Action:

Dredge and fill approximately 880 square feet within a man-made drainage ditch and adjacent palustrine scrub-shrub wetlands to install two 24-inch x 38-foot culverts associated with construction of a driveway to provide access to a storage facility, and fill approximately 105 square feet of palustrine scrub-shrub wetlands for site grading.

Conservation Commission/Staff Comments:

No comments received from the Farmington Conservation Commission.

APPROVE PERMIT:

Dredge and fill approximately 880 square feet within a man-made drainage ditch and adjacent palustrine scrub-shrub wetlands to install two 24-inch x 38-foot culverts associated with construction of a driveway to provide access to a storage facility, and fill approximately 105 square feet of palustrine scrub-shrub wetlands for site grading.

With Conditions:

1. All work shall be in accordance with the following plans by MJS Engineering, PC, as received by the Department on November 01, 2004:
 - a) The Site Plan (Sheet C1) and the Grading, Drainage, Erosion Control, & Utilities Plan (Sheet C2) dated August 9, 2004 and revised October 18, 2004; and
 - b) The Erosion Control Details (Sheet D1) and the Construction Details (Sheet D2) dated August 9, 2004 and revised September 27, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be conducted during low flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project, per Administrative Rule Wt 303.04(f), as it will involve alteration of less than 3,000 square feet in scrub-shrub wetlands.
2. Information provided by certified wetland scientist, Barry Keith, in a letter dated September 7, 2004, indicates that the twin culverts will be installed in a man-made drainage ditch.
3. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
4. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

2004-02542 ZSOFKA, PATRICIA
ANTRIM Unnamed Wetland

Requested Action:

Dredge and fill approximately 1,974 square feet of palustrine forested wetlands to provide access to two lots of a proposed 3-Lot subdivision.

Conservation Commission/Staff Comments:

Conservation Commission did not sign the expedited application.

APPROVE PERMIT:

Dredge and fill approximately 1,974 square feet of palustrine forested wetlands to provide access to two lots of a proposed 3-Lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated September 20, 2004, and subdivision plan dated September 3, 2004, as received by the Department on October 20, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low or non flow conditions.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02606 VIAFORA, SUSAN
MERRIMACK Merrimack River

Requested Action:

Excavate a total of 2 square feet in the bank and lay a 2" cable across the bed of the Merrimack River.

Conservation Commission/Staff Comments:

Con. Com. did not sign expedited application.

APPROVE PERMIT:

Excavate a total of 2 square feet in the bank and lay a 2" cable across the bed of the Merrimack River.

With Conditions:

1. All work shall be in accordance with plans by Verizon New England Inc. dated 8/9/04, as received by the Department on 10/25/04.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Work shall be done during low flow.

With Findings:

1. This project is the Merrimack side of the Verizon cable installation project already permitted across the Merrimack River from the Litchfield side under file 2004-2126.
2. This is a minimum impact project per Administrative Rule Wt 303.04(o), project deemed minimum by the Department based on the degree of environmental impact.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. Under file 2004-2126, NH Fish and Game Department has determined that placement of the 2" cable will not impact the state-endangered Brook Floater mussel found in the Merrimack River.
6. No comments were received from the local rivers advisory committee.

FORESTRY NOTIFICATION

2004-02070 PRESTON, GEORGE
STODDARD Unnamed Stream

COMPLETE NOTIFICATION:

Stoddard Tax Map 412, Lot# 1 & 3

2004-02436 **NH DRED**
CANDIA **Unnamed Stream**

COMPLETE NOTIFICATION:
Canadia Tax Map 403, Lot# 15 & 16

2004-02593 **DRED**
ALLENSTOWN **Unnamed Stream**

COMPLETE NOTIFICATION:
Allenstown Tax Map 3 & 6, Lot# 2 & 13 Bear Brook P1-466

2004-02623 **SCHLENTRICH, UDO & KATHY**
DOVER **Unnamed Stream**

COMPLETE NOTIFICATION:
Dover Tax Map E, Lot# 38

2004-02644 **MORRILL, DAVID**
CONCORD **Unnamed Stream**

COMPLETE NOTIFICATION:
Concord Tax Map 122, Lot# 8V

2004-02670 **CONVEX LLC, STAN JACKSON**
HEBRON **Unnamed Stream**

COMPLETE NOTIFICATION:
Hebron Tax Map 1, Lot# 13

2004-02671 **PFEIFLE, JOHN & MEL**
BRADFORD **Unnamed Stream**

COMPLETE NOTIFICATION:
Bradford Tax Map 3, Lot# 23

2004-02672 **USDA FOREST SERVICE, WHITE MTN NAT'L FOREST**
BETHLEHEM **Unnamed Stream**

COMPLETE NOTIFICATION:
Bethlehem White Mtn Nat'l Forest

2004-02673 USDA FOREST SERVICE, WHITE MTN NAT'L FOREST
CARROLL Unnamed Stream

COMPLETE NOTIFICATION:

Carroll / Bethlehem Oscar Timber Sale White Mtn Nat'l Forest

2004-02674 USDA FOREST SERVICE, WHITE MTN NAT'L FOREST
BENTON Unnamed Stream

COMPLETE NOTIFICATION:

Benton Ramsey Basin Timber Sale, Wht Mtn Nat'l Forest

2004-02675 MASON, MARTIN
MILAN Unnamed Stream

COMPLETE NOTIFICATION:

Milan Tax Map 288, Lot# 27

2004-02702 INGRAM, TIMOTHY
NEW HAMPTON Unnamed Stream

Conservation Commission/Staff Comments:

Wetlands crossing is on Mr. Combs property. Harvest to take place on Mr. Ingram

COMPLETE NOTIFICATION:

New Hampton Tax Map R10, Lot# 36 crossing only, no harvest

2004-02703 HOWARD, JAMES & MARION
ASHLAND Unnamed Stream

COMPLETE NOTIFICATION:

Ashland Tax Map 8-3, Lot# 2, 5, 6 & 7

2004-02704 DRED, STATE NURSERY
SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Springfield Tax Map 11, Lot# 153 Gile State Forest P2-365

2004-02705 WHITTEMORE, GAYLE
PEMBROKE Unnamed Stream

COMPLETE NOTIFICATION:

Pembroke Tax Map 262, Lot# 43

2004-02706 SWINDLEHURST, ELEANOR
DUNBARTON Unnamed Stream

COMPLETE NOTIFICATION:
Dunbarton Tax Map B4, Lot# 8

2004-02725 CLEASBY, LARRY
NORTHWOOD Unnamed Stream

COMPLETE NOTIFICATION:
Northwood Tax Map 205, Lot# 1 & 2

2004-02726 WILLIAMS, JODY FISHER
RUMNEY Unnamed Stream

COMPLETE NOTIFICATION:
Rumney Tax Map 7-1, Lot# 19 & 20

2004-02739 PARDOE, GUY & MARIANNE
PETERBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Peterboro Tax Map R3, Lot# 6

2004-02740 PETIT, THOMAS & MICHELLE
PEMBROKE Unnamed Stream

COMPLETE NOTIFICATION:
Pembroke Tax Map 264, Lot# 65

2004-02807 DRED, STATE NURSERY
SALISBURY Unnamed Stream

COMPLETE NOTIFICATION:
Salisbury Tax Map 259, Lot# 1 State forest Nursery P2-329

EXPEDITED MINIMUM

1999-02377 BROWN, PAGE
EXETER Unnamed Wetland

Requested Action:
Approve name change to: MDM Rodgers Family LP, 36 Country Farm Road, Stratham, NH 03885 per request received

10/27/2004.

APPROVE NAME CHANGE:

Fill 600 sq. ft. and 800 sq. ft. (total of 1,400 sq. ft.) of forested wetland and install culverts associated with two driveway crossings to access a single commercial building lot.

With Conditions:

1. All work shall be in accordance with plans by Parker Survey Associates Inc. dated February 2000, as received by the Department on February 9, 2000.
2. Any further alteration of wetlands on this property will require a new application and further permitting by the DES Wetlands Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Wetland area B shown on Existing Conditions Plan dated October 1999, as received by the Department on January 18, 2000, shall not be used for retention for any proposed work on this property.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-00309 WELDON, DANIEL
EPSOM Unnamed Wetland

Requested Action:

Approve name change to: R. J. Moreau Communities LLC., 24 Eastman Ave., Bedford, NH 03110 per request received 11/19/04.

Conservation Commission/Staff Comments:

Epsom Conservation Commission signed the application.

APPROVE NAME CHANGE:

Dredge and fill a total of 2,848 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway to access a 40-lot residential subdivision on a 122.95 acre parcel of land of which 43 acres are designated open space.

With Conditions:

1. All work shall be in accordance with the overview plan prepared by Robert G. Rook. P.E., Consulting Engineer, dated 11/11/03, as received by the Department on February 26, 2004 and subdivision plan by Joseph M. Wickert, L.L.S., Inc. Dated November 19, 2003 as received by the Department on April 06, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Merrimack County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

7. Work shall be done during low flow.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 13 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-01645 MME REVOC TRUST, MARJORIE ENNIS TTEE
CANTERBURY Unnamed Wetland

Requested Action:

Request for permit amendment to dredge and fill approximately 1,365 square feet of forested wetland to for driveway access to two (2) single family residential lots for a three (3)-lot subdivision of approximately 12.77 acres.

Conservation Commission/Staff Comments:

The Canterbury Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AMENDMENT:

Dredge and fill approximately 1,365 square feet of forested wetland for driveway access to two (2) single family residential lots as part of a three (3)-lot subdivision of approximately 12.77 acres.

With Conditions:

1. All work shall be in accordance with the following plans by FWS land Surveying PLLC:
 - a.) The Wetland Crossing Plan dated June 25, 2004 and The Minor Subdivision Plat Plan (Sheet 1 of 1) dated June 28, 2004 as received by the Department on July 19, 2004;
 - b.) The Wetland Crossing Plan dated June 25, 2004 and The Minor Subdivision Plat Plan (Sheet 1 of 2) dated June 28, 2004 with revisions through September 10, 2004 as recieved by the Department on October 26, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.

5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The proposed permit amendment is necessary to incorporate changes to the project design, including installation of two driveway accesses, as opposed to the originally authorized shared-single family access drive.
2. Proposed project modifications will result in an increase in wetlands and surface waters impacts per Canterbury shared-drive regulations.

2004-01969 GAGNER, RICHARD
BARTLETT Unnamed Wetland

Requested Action:

Fill approximately 2,246 square feet of forested wetland to install three (3) 24-inch culverts for access to a single family residential lot.

Conservation Commission/Staff Comments:

The Bartlett Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill approximately 2,246 square feet of forested wetland to install three (3) 24-inch culverts for access to a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey Company, Inc. dated May 20, 2004, as received by the Department on October 6, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional

wetland.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01971 MCARTHUR, JOHN/SANDRA
TILTON Unnamed Wetland

Requested Action:

Fill approximately 1,670 square feet of forested wetland to install a 18-inch culvert for access to a single family residential lot on approximately 6.606 acres.

Conservation Commission/Staff Comments:

The Tilton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill approximately 1,670 square feet of forested wetland to install a 18-inch culvert for access to a single family residential lot on approximately 6.606 acres.

With Conditions:

1. All work shall be in accordance with the following plans:
 - a.) Wetland Impact Area Plan (Sheet 2 of 3) by Blue Moon Environmental, Inc. dated July 21, 2004, as received by the Department on August 23, 2004;
 - b.) Plan Of Land (Sheet 1 of 1) by Brown Engineering dated March 23, 2004 with revisions through July 1, 2004, as received by the Department on November 15, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow conditions.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. No fill shall take place in Atlantic white cedar swamps.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

2004-02367 LOVETT, ELEANOR
FRANCONIA Unnamed Wetland

Requested Action:

Fill approximately 3,000 square feet of forested wetland to provide access to a single family residential lot on approximately 31.66 acres.

Conservation Commission/Staff Comments:

The Franconia Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill approximately 3,000 square feet of forested wetland to provide access to a single family residential lot on approximately 31.66 acres.

With Conditions:

1. All work shall be in accordance with plans by John Seely dated September 20, 2004, as received by the Department on October 1, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
4. Work shall be done during no flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
11. No fill shall be done for lot development.
12. No fill shall take place in Atlantic white cedar swamps.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02462 SUNAPEE HILLS ASSOCIATION
NEWBURY Chalk Pond

Requested Action:

Excavate approximately 200 sq ft of bank to replace an existing water line on an average of 10 ft of frontage on Chalk Pond, Newbury.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Excavate approximately 200 sq ft of bank to replace an existing water line on an average of 10 ft of frontage on Chalk Pond, Newbury.

With Conditions:

1. All work shall be in accordance with plans by Lewis Engineering dated September 2004, as received by the Department on October 14, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Construction workspace shall be limited to the construction right-of-way as depicted on the approved plans, unless further authorization is received pursuant to condition #3 below.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. The applicant shall notify in writing NHDES Wetlands Bureau and the Newbury Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
6. The applicant shall notify NHDES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), replacement of existing waterline.

2004-02532 BOWERS, DAVID
ALTON Lake Winnepesaukee

Requested Action:

Repair a 16 ft x 22 ft 1 in piling supported structure, a 36 ft x 25 ft 5 in boathouse with rock foundation and crib supports, and an existing 5 ft 8 in x 35 ft 9 in cantilevered pier "in-kind" on an average of 568 ft of frontage on Little Barndoor Island.

APPROVE PERMIT:

Repair a 16 ft x 22 ft 1 in piling supported structure, a 36 ft x 25 ft 5 in boathouse with rock foundation and crib supports, and an existing 5 ft 8 in x 35 ft 9 in cantilevered pier "in-kind" on an average of 568 ft of frontage on Little Barndoor Island.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated September 27, 2004, as received by the Department on October 19, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. All construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, turbidity and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. This permit does not allow for maintenance dredging.
10. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
11. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04, (v), repair of existing structures, in kind.

2004-02534 FIFIELD, JOHN/SUSAN
DEERFIELD Unnamed Wetland

Requested Action:

Impact a total of 2,995 sq. ft. of wetlands to construct two shared driveways for a four-lot subdivision on 20.5 acres, including: 490 sq. ft. and installation of twin 12" x 18' culverts, and 670 sq. ft. and installation of twin 12" x 35' culverts on lot 17-2; and 285 sq. ft. and installation of twin 12" x 20' culverts, and 1,550 sq. ft. and installation of twin 12" x 20' culverts, on lot 17-1.

Conservation Commission/Staff Comments:

Con. Com. signed expedited application.

APPROVE PERMIT:

Impact a total of 2,995 sq. ft. of wetlands to construct two shared driveways for a four-lot subdivision on 20.5 acres, including: 490 sq. ft. and installation of twin 12" x 18' culverts, and 670 sq. ft. and installation of twin 12" x 35' culverts on lot 17-2; and 285 sq. ft. and installation of twin 12" x 20' culverts, and 1,550 sq. ft. and installation of twin 12" x 20' culverts, on lot 17-1.

With Conditions:

1. All work shall be in accordance with plans by RSL Layout and Design, Inc. dated 8/25/04, as received by the Department on 10/18/04.
2. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
3. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be

avoided.

4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq. ft. in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02535

WENNRICH, TIM & JESSIE GRIFFITH

BETHLEHEM Baker Brook

Requested Action:

Temporarily impact approximately 2,220 square feet within the bed and banks of Baker Brook and wet meadow for the installation of a watermain to an existing school building for fire protection.

Conservation Commission/Staff Comments:

The Bethlehem Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact approximately 2,220 square feet within the bed and banks of Baker Brook and wet meadow for the installation of a watermain to an existing school building for fire protection.

With Conditions:

1. All work shall be in accordance with plans by Watershed to Wildlife, Inc., as received by the Department on October 18, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
4. Work shall be done during low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
8. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
9. Mulch within the restoration area shall be straw.

10. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wet meadow.
2. Fire protection!
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02544 500 NORTH ROAD REALTY TRUST LLC
EPSOM Unnamed Wetland

Requested Action:

Dredge and fill 518 sq. ft. of wetlands to install a dry hydrant.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Dredge and fill 518 sq. ft. of wetlands to install a dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates PLLC dated 8/23/04, as received by the Department on 10/20/04.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. No fill shall take place in Atlantic white cedar swamps.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02545 ROTHSTEIN, RICHARD & LIA
MERIDEN Unnamed Pond

Requested Action:

Maintenance dredge approximately 2,250 square feet of an existing man-made pond.

Conservation Commission/Staff Comments:

The Plainfield Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Maintenance dredge approximately 2,250 square feet of an existing man-made pond.

With Conditions:

1. All work shall be in accordance with plans received by the Department on October 20, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work shall be done during low flow conditions.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. No fill shall take place in Atlantic white cedar swamps.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness, of nontidal drainage ditches, man-made ponds, and spillways.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02546 SWANZEY, TOWN OF
SWANZEY Unnamed Stream

Requested Action:

Maintenance dredge approximately 128 square feet of road-side drainage ditch and an intermittent stream to remove accumulated sediment to allow proper water flow beneath West Shore Rd.

Conservation Commission/Staff Comments:

The Swanzey Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Maintenance dredge approximately 128 square feet of road-side drainage ditch and an intermittent stream to remove accumulated sediment to allow proper water flow beneath West Shore Rd.

With Conditions:

1. All work shall be in accordance with plans received by the Department on October 22, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during no flow/dry conditions.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness, of nontidal drainage ditches, man-made ponds, and spillways.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

TRAILS NOTIFICATION

2004-02479 NHDOT
ANDOVER

COMPLETE NOTIFICATION:
Andover RTE 11 ROW

2004-02677 JONES, PETERS
CONCORD Unnamed Stream

COMPLETE NOTIFICATION:

Concord Tax Map 105, Lot # 6

LAKES-SEASONAL DOCK NOTIF

2004-02792 SNIDE, JOHN
SWANZEY Swanzey Lake

COMPLETE NOTIFICATION:
Swanzey Tax Map 61, Lot# 33 Swanzey Lake

2004-02793 PAYSON, PAUL & JOANNE
NEW DURHAM Merymeeting Lake

COMPLETE NOTIFICATION:
New Durham Tax Map 31, Lot# 284 Merymeeting Lake

2004-02794 ANTAK, ARNOLD
STODDARD Highland Lake

COMPLETE NOTIFICATION:
Stoddard Tax Map 124, Lot# 34 Highland Lake

2004-02795 WILSON, JAMES
NEWBURY Lake Sunapee

COMPLETE NOTIFICATION:
Newbury Tax Map 7, Lot# 182-106 Lake Sunapee

2004-02796 MENDILLO, JANE
NEWBURY Lake Sunapee

COMPLETE NOTIFICATION:
Newbury Tax Map 18, Lot# 310-054 Lake Sunapee

2004-02797 WHITING, TIMOTHY
MEREDITH Lake Waukewan

COMPLETE NOTIFICATION:
Meredith Tax Map U05, Lot# 47 Lakw Waukewan

ROADWAY MAINTENANCE NOTIF

2004-00648 MADISON, TOWN OF
MADISON Unnamed Stream

2004-02746 NH DEPT OF TRANSPORTATION
WOLFEBORO Unnamed Stream

2004-02747 ACWORTH, TOWN OF
ACWORTH Unnamed Stream

2004-02769 NH DEPT OF TRANSPORTATION
GILFORD Drainage Ditch

2004-02770 DERRY, TOWN OF
DERRY Unnamed Stream

2004-02788 NH DEPT OF TRANSPORTATION
DUNBARTON Unnamed Stream

2004-02789 NH DEPT OF TRANSPORTATION
SWANZEY Unnamed Stream

2004-02790 NH DEPT OF TRANSPORTATION
MADBURY Unnamed Stream

2004-02791 NH DEPT OF TRANSPORTATION
DOVER Ditch

PERMIT BY NOTIFICATION

2004-02692 GOODWIN, MARILYN
LACONIA Lake Winnepesaukee

Requested Action:

PBN#11, In-kind repair to existing dock and PBN#12, In-kind repair to approximately 80 linear feet of an existing retaining wall on Lake Winnepesaukee with approximately 107 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Laconia Conservation Commission signed the PBN and submitted comment in regards to the dimensions of the dock not coinciding with the dimensions depicted on the plans.

PBN IS COMPLETE:

PBN#11, In-kind repair to existing dock and PBN#12, In-kind repair to approximately 80 linear feet of an existing retaining wall on Lake Winnepesaukee with approximately 107 feet of shoreline frontage.

2004-02708 500 NORTH ROAD REALTY TRUST LLC
EPSOM Unnamed Wetland

Requested Action:

PBN#1, Dredge and fill approximately 1,080 square feet of forested wetland to install a 12-inch culvert for access to a single family residential lot on approximately 9.67 acres.

Conservation Commission/Staff Comments:

The Epsom Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 1,080 square feet of forested wetland to install a 12-inch culvert for access to a single family residential lot on approximately 9.67 acres.